

=====

SYNTENI, INC.

Counter-claimant

Don F. Livornese
[COR LD NTC]
Howrey Simon Arnold & White,
LLP
301 Ravenswood Avenue
Menlo Park, CA 94025-3741
(650) 463-8100

Robert P. Taylor
[COR LD NTC]
Teresa M. Corbin
[COR NTC]
Stephen J. Rosenman
[COR NTC]
V. Randall Gard
[COR NTC]
Howrey Simon Arnold & White LLP
301 Ravenswood Ave
Menlo Park, CA 94025
650-463-8100

Steven B. Kelber
[COR NTC]
Long Aldridge & Norman

□

701 Pennsylvania Ave., N.W.
Suite 600
Washington, DC 20004

INCYTE PHARMACEUTICALS, INC.
Counter-claimant

Don F. Livornese
(See above)
[COR LD NTC]

Robert P. Taylor
(See above)
[COR LD NTC]
Teresa M. Corbin
(See above)
[COR NTC]
Stephen J. Rosenman
(See above)
[COR NTC]
V. Randall Gard
(See above)
[COR NTC]

William J. Marsden
[COR LD NTC]
Potter Anderson & Corroon LLP
Hercules Plaza
P.O. Box 951
Wilmington, DE 19899
302-984-6000

Steven B. Kelber
(See above)

[COR NTC]

v.

AFFYMETRIX, INC.
Counter-defendant

Barbara A. Caulfield
[COR NTC]
David T. Alexander
[COR NTC]
Orrick Herrington & Sutcliffe
LLP
Old Federal Reserve Bank
Building
400 Sansome St
San Francisco, CA 94111-3143
415-392-1122

Morgan Chu
[COR LD NTC]
Jeffrey L. Arrington
[COR LD NTC]

□

Richard De Bodo
[COR LD NTC]
Irell & Manella LLP
1800 Avenue of the Stars
Ste 900
Los Angeles, CA 90067-4276
(310) 277-1010

William L. Anthony
[term 07/09/01]
415-614-7400
[COR LD NTC]
Amy L. Landers
[COR NTC]
Elizabeth A. Howard
[term 07/09/01]
[COR NTC]
Orrick Herrington & Sutcliffe
LLP
1000 Marsh Road
Menlo Park, CA 94025
650-614-7400

□

DOCKET PROCEEDINGS

DATE # DOCKET ENTRY

11/24/98 1 ORIGINAL file, certified copy of transfer order and docket sheet received from USDC Delaware, Wilmington (no process). Fee status tran [3:98-cv-04507] (ab) [Entry date 11/30/98] [5:99cv21164]

11/24/98 2 ORDER RE COURT PROCEDURE and SCHEDULE (ADR Multi-Option) by Magistrate Judge James Larson : Proof of service to be filed by 1/8/99 ; counsels' case management statement to be filed by 3/14/99 ; initial case management conference will be held 10:30 3/24/99 . (cc: all counsel) [3:98-cv-04507] (ab) [Entry date 11/30/98] [5:99cv21164]

11/30/98 3 CLERK'S NOTICE re transfer case [3:98-cv-04507] (ab) [Entry date 11/30/98] [5:99cv21164]

11/30/98 -- REPORT on the filing or determination of an action regarding Trademark (cc: form mailed to register) [3:98-cv-04507] (ab) [Entry date 11/30/98] [5:99cv21164]

12/14/98 4 ORDER by Judge Fern M. Smith relating cases; 3:98-cv-3192 with member cases 3:98-cv-4507, 4:98-cv-4508, Case reassigned to Judge Fern M. Smith (Date Entered: 12/14/98) (cc: all counsel) [3:98-cv-04507] (ab) [Entry date 12/14/98] [5:99cv21164]

12/14/98 -- Docket Modification (Administrative) to removing case from the Multi-Option ADR Pilot (ADR LR 3) upon reassignment. [3:98-cv-04507] (ab) [Entry date 12/14/98] [5:99cv21164]

12/17/98 5 CLERK'S NOTICE: Case Management Conference set for 8:30 4/2/99. Counsel shall file a Case Management Statement no later than ten (10) days prior to the Case Management Conference. [3:98-cv-04507] (lcc) [Entry date 12/18/98] [5:99cv21164]

1/7/99 6 COPY OF LETTER dated 1/5/99 from Teresa M. Corbin to William L. Anthony, Jr., Esq. regarding assignment of cases to Mag. Judge Maria-Elena James for discovery purposes. [3:98-cv-04507] (lcc) [Entry date 01/13/99] [5:99cv21164]

3/25/99 7 ORDER by Judge Fern M. Smith: The Court hereby APPOINTS The Honorable Eugene F. Lynch as Special Master in this case for purposes of all discovery matters. Unless and until further order of this Court, all discovery matters in this case shall be submitted to and resolved by the Special Master. The compensation to be allowed the Special Master shall be shared equally as between the plaintiff, on the one hand, and the defendants, on the other, unless otherwise ordered by the Special Master. (Date Entered: 3/26/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 03/26/99] [5:99cv21164]

3/26/99 8 JOINT CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [3:98-cv-04507] (lcc) [Entry date 03/29/99] [5:99cv21164]

□

3/29/99 9 CLERK'S NOTICE: Case Management Conference CONTINUED to

8:30 4/8/99. Not less than ten (10) days before the Conference, counsel shall file, jointly if possible, a Case Management Conference Statement. [3:98-cv-04507] (lcc) [Entry date 03/30/99] [5:99cv21164]

- 3/30/99 10 NOTICE by Plaintiff Affymetrix, Inc. of Entry of order [7-2]. [3:98-cv-04507] (lcc) [Entry date 03/31/99] [5:99cv21164]
- 4/2/99 11 PROOF OF SERVICE by Plaintiff Affymetrix, Inc. of joint statement case mangement [8-1] [3:98-cv-04507] (lcc) [Entry date 04/06/99] [5:99cv21164]
- 4/8/99 12 MINUTES: (C/R - none) INITIAL CASE MANAGEMENT CONFERENCE HELD. Case continued to 11/18/99 at 2:30 p.m.; Pre-trial Conference will be held 6/19/00 at 2:30 p.m.; Jury Trial set for 7/10/00 at 8:30 a.m. Set for 16 days. Court has consolidated cases 3:98-cv-4507 with member cases 3:98-cv-4508. All future filings shall be in 3:98-cv-4507. Both cases are REFERRED to Judge Eugene Lynch for discovery. Plaintiffs must name any new parties by 6/1/99. Parties may stipulate to bifurcate the damages for trial. [3:98-cv-04507] (lcc) [Entry date 04/09/99] [5:99cv21164]
- 4/13/99 -- RECEIVED [Proposed] Case Management Order [3:98-cv-04507] (lcc) [Entry date 04/13/99] [5:99cv21164]
- 4/16/99 13 CASE MANAGEMENT ORDER by Judge Fern M. Smith: Discovery cutoff 1/14/00; Pre-trial conference will be held 2:30 6/19/00; Trial set for 8:30 7/10/00; Est.trial days: 7; see Order for further details. (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 04/23/99] [5:99cv21164]
- 4/21/99 14 EX-PARTE APPLICATION "FILED UNDER SEAL" before Judge Fern M. Smith by defendant in 3:98-cv-04507 for leave to file surreply in opposition to motion for preliminary injunction [3:98-cv-04507] (scu) [Entry date 04/23/99] [5:99cv21164]
- 4/21/99 15 DECLARATION by Tereresa M. Corbin on behalf of defendant in 3:98-cv-04507 in support of motion for leave to file surreply in opposition to motion for preliminary injunction [14-1] [3:98-cv-04507] (slh) [Entry date 04/23/99] [5:99cv21164]
- 4/21/99 16 CERTIFICATE OF SERVICE by defendant in 3:98-cv-04507 of motion for leave to file surreply in opposition to motion for preliminary injunction [14-1], declaration [15-1] [3:98-cv-04507] (slh) [Entry date 04/23/99] [5:99cv21164]
- 4/23/99 17 NOTICE by Plaintiff Affymetrix, Inc. in 3:98-cv-04507 of entry of Case Management Order [3:98-cv-04507] (mmr)
 [Entry date 04/26/99] [5:99cv21164]
- 4/23/99 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507) allowing audio visual equipment into the courtroom. [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/23/99 18 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of order received [0-0] [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/23/99 19 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/23/99 20 AMENDED PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/23/99 21 RESPONSE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 objection to evidence [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/23/99 22 DECLARATION by V. Randall Gard on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in support of response [21-1] [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/23/99 23 DECLARATION by Kenneth D. Konrad on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 [3:98-cv-04507] (mmr) [Entry date 04/26/99] [5:99cv21164]

4/26/99 24 OBJECTIONS by Plaintiff Affymetrix, Inc. in 3:98-cv-04507 to Dr. Pirrung's participation in the tutorial [3:98-cv-04507] (mmr) [Entry date 04/28/99] [5:99cv21164]

4/26/99 27 APPLICATION by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 for use of audio visual equipment in Judge Smith's Courtroom [3:98-cv-04507] (mmr) [Entry date 04/28/99] [5:99cv21164]

4/26/99 28 ORDER by Judge Fern M. Smith allowing use of video equipment in the courtroom (Date Entered: 4/28/99) (cc: all counsel) [3:98-cv-04507] (mmr) [Entry date 04/28/99] [5:99cv21164]

4/27/99 25 MEMORANDUM by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in opposition to objection [24-1] [3:98-cv-04507] (mmr) [Entry date 04/28/99] [5:99cv21164]

□

4/27/99 26 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of opposition memorandum [25-1] [3:98-cv-04507] (mmr) [Entry date 04/28/99] [5:99cv21164]

4/30/99 29 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in opposition to motion for leave to file surreply in opposition to motion for preliminary injunction [14-1] (FILED UNDER SEAL) [3:98-cv-04507] (mmr) [Entry date 05/03/99] [Edit date 05/03/99] [5:99cv21164]

- 4/30/99 30 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of declaration [29-1] [3:98-cv-04507] (mmr) [Entry date 05/03/99] [5:99cv21164]
- 4/30/99 31 ORDER by Judge Fern M. Smith denying Plaintiff's objection and request [24-1] (Date Entered: 5/3/99) (cc: all counsel) [3:98-cv-04507] (mmr) [Entry date 05/03/99] [5:99cv21164]
- 4/30/99 32 Supplemental DECLARATION by Denise Gilbert on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace 3:98-cv-04507 (FILED UNDER SEAL) [3:98-cv-04507] (mmr) [Entry date 05/03/99] [5:99cv21164]
- 5/4/99 33 ORDER by Judge Fern M. Smith DENYING plaintiff's motion for preliminary injunction; GRANTING IN PART and DENYING IN PART defendant's motion for leave to file surreply in opposition to motion for preliminary injunction [14-1]; DENYING without prejudice defendant's motion for summary judgment; no further dispositive motions may be filed by either pary until the interference proceeding is complete; discovery will not be stayed during that time. (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 05/10/99] [5:99cv21164]
- 5/4/99 38 SURREPLY by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in opposition to motion for preliminary injunction. [3:98-cv-04507] FILED UNDER SEAL (rs) [Entry date 05/11/99] [Edit date 05/11/99] [5:99cv21164]
- 5/4/99 39 DECLARATION by Charles L. Gholz on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 re surreply [38-1] [3:98-cv-04507] FILED UNDER SEAL. (rs) [Entry date 05/11/99] [Edit date 05/11/99] [5:99cv21164]
-
- 5/4/99 40 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 re surreply [38-1] [3:98-cv-04507] FILED UNDER SEAL. (rs) [Entry date 05/11/99] [Edit date 05/11/99] [5:99cv21164]
- 5/6/99 34 NOTICE OF MOTION AND MOTION before Judge Fern M. Smith by defendants in 3:98-cv-04507 to stay with Notice set for 6/11/99 at 10:00 [3:98-cv-04507] (slh) [Entry date 05/10/99] [5:99cv21164]
- 5/6/99 35 DECLARATION by Teresa M. Corbin on behalf of defendants in 3:98-cv-04507 in support of motion to stay [34-1] [3:98-cv-04507] (slh) [Entry date 05/10/99] [5:99cv21164]
- 5/6/99 36 DECLARATION by Charles L. Gholz on behalf of defendants in 3:98-cv-04507 re motion to stay [34-1] [3:98-cv-04507] (slh) [Entry date 05/10/99] [5:99cv21164]

U.S. District Court Web PACER(v2.3) Docket Report

Page 12 of 84

- 5/6/99 37 PROOF OF SERVICE by defendants in 3:98-cv-04507 of motion to stay [34-1], declaration [35-1], declaration [36-1] [3:98-cv-04507] (slh) [Entry date 05/10/99] [5:99cv21164]
- 5/10/99 41 ORDER by Judge Fern M. Smith DENYING defendants' motion to stay [34-1]. (Date Entered: 5/12/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 05/12/99] [5:99cv21164]
- 5/18/99 42 MINUTES: (C/R - none) (Hearing Date: 4/27/99) Tutorial hearing held. Case continued to 4/30/99 at 1:30 for defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 filed in case number 3:98-cv-4508 FMS. [3:98-cv-04507] (lcc) [Entry date 05/19/99] [5:99cv21164]
- 5/18/99 43 MINUTES: (C/R - Leo Mankiewicz) (Hearing Date: 4/30/99) That defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 and plaintiff's motion for preliminary injunction (filed in case number 3:98-cv-4508 FMS) are SUBMITTED. [3:98-cv-04507] (lcc) [Entry date 05/19/99] [Edit date 05/19/99] [5:99cv21164]
- 5/18/99 44 REPORTER'S TRANSCRIPT; Date of proceedings: 4/30/99 (C/R: Leo Mankiewicz) minutes [43-1]. [3:98-cv-04507] (lcc) [Entry date 05/19/99] [5:99cv21164]
- 5/19/99 45 EX-PARTE MOTION before Judge Fern M. Smith by defendants for leave to provide litigation documents to related patent interference proceedings [3:98-cv-04507] (lcc) [Entry date 05/20/99] [5:99cv21164]
-
- 5/19/99 46 DECLARATION by N. Thane Bauz on behalf of defendants in support of ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1] [3:98-cv-04507] (lcc) [Entry date 05/20/99] [5:99cv21164]
- 5/19/99 -- RECEIVED Proposed Order (defendants) re: ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1] [3:98-cv-04507] (lcc) [Entry date 05/20/99] [5:99cv21164]
- 5/19/99 47 CERTIFICATE OF SERVICE by defendants of ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1], declaration [46-1] and order received [0-0] [3:98-cv-04507] (lcc) [Entry date 05/20/99] [5:99cv21164]
- 5/21/99 48 OPPOSITION by Plaintiff Affymetrix, Inc. to ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1] [3:98-cv-04507] (lcc) [Entry date 05/24/99] [5:99cv21164]
- 5/21/99 49 DECLARATION by Craig R. Kaufman on behalf of Plaintiff Affymetrix, Inc. in support of opposition [48-1] [3:98-cv-04507] (lcc) [Entry date 05/24/99] [5:99cv21164]

5/24/99 50 ORDER by Judge Fern M. Smith DENYING defendants' ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1]. (Date Entered: 5/26/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 05/26/99] [5:99cv21164]

6/4/99 51 PROOF OF SERVICE by Plaintiff Affymetrix, Inc. of opposition [48-1] [3:98-cv-04507] (lcc) [Entry date 06/04/99] [5:99cv21164]

6/7/99 52 APPLICATION before Judge Fern M. Smith by defendants for attorney, Steven B. Kelber to appear pro hac vice [3:98-cv-04507] (lcc) [Entry date 06/08/99] [5:99cv21164]

6/7/99 53 CERTIFICATION by Steven B. Kelber on behalf of defendants in support of application to appear pro hac vice [52-1] [3:98-cv-04507] (lcc) [Entry date 06/08/99] [5:99cv21164]

6/7/99 -- RECEIVED Proposed Order (defendants) re: application for attorney, Steven B. Kelber to appear pro hac vice [52-1] [3:98-cv-04507] (lcc) [Entry date 06/08/99] [5:99cv21164]

6/7/99 54 CERTIFICATE OF SERVICE by defendants of application for attorney, Steven B. Kelber to appear pro hac vice [52-1], declaration [53-1] and order received [0-0] [3:98-cv-04507] (lcc) [Entry date 06/08/99] [5:99cv21164]

□

6/8/99 55 ORDER by Judge Fern M. Smith GRANTING defendants' application for attorney, Steven B. Kelber to appear pro hac vice [52-1]. (Date Entered: 6/9/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 06/09/99] [5:99cv21164]

6/14/99 56 NOTICE by defendants of Entry of order [55-1]. [3:98-cv-04507] (lcc) [Entry date 06/16/99] [5:99cv21164]

6/14/99 57 CERTIFICATE OF SERVICE by defendants of notice [56-1] [3:98-cv-04507] (lcc) [Entry date 06/16/99] [5:99cv21164]

6/16/99 58 REDACTED AMENDED OPPOSITION (Public Version II) by defendants to motion for preliminary injunction filed in 3:98-cv-4508 [3:98-cv-04507] (lcc) [Entry date 06/21/99] [Edit date 06/21/99] [5:99cv21164]

6/16/99 59 REDACTED APPENDIX (Public Version II) filed by defendants to redacted amended opposition [58-1] □[3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]

6/16/99 60 REDACTED DECLARATION (by fax - Public Version II) by Scott Braxton on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]

6/16/99 61 REDACTED DECLARATION (by fax - Public Version II) by Patrick Brown on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]

6/16/99 62 REDACTED DECLARATION (by fax - Public Version II) by

Charles Cantor on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc)
 [Entry date 06/21/99] [5:99cv21164]

- 6/16/99 63 REDACTED DECLARATION (by fax - Public Version II) by Ben Cocks on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 64 REDACTED DECLARATION (by fax - Public Version II) by Teresa M. Corbin on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 65 REDACTED EXHIBITS C, I and BB (by fax - Public Version II) by defendants to declaration (Teresa M. Corbin) [64-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 66 REDACTED DECLARATION (by fax - Public Version II) by Denise Gilbert on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 67 REDACTED DECLARATION (by fax - Public Version II) by Howard Goldstein on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
-
- 6/16/99 68 REDACTED DECLARATION (by fax - Public Version II) by Steven B. Kelber on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 69 REDACTED DECLARATION (by fax - Public Version II) by Larry J. Kricka on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 70 REDACTED DECLARATION (by fax - Public Version II) by Deval Lashkari on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 71 REDACTED DECLARATION (by fax - Public Version II) by Lisa Peterson on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 72 REDACTED DECLARATION (by fax - Public Version II) by Michael C. Pirrung on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 73 REDACTED DECLARATION (by fax - Public Version II) by Richard T. Rapp on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 74 REDACTED DECLARATION (by fax - Public Version II) by Jeff Seilhamer on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 75 REDACTED DECLARATION (by fax - Public Version II) by Dari Shalon on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99]

[5:99cv21164]

- 6/16/99 76 REDACTED DECLARATION (by fax - Public Version II) by Roy Whitfield on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 6/16/99 77 CERTIFICATE OF SERVICE by defendants of amended opposition [58-1], appendix [59-1], redacted declarations [60-1], [61-1], [62-1], [63-1], [64-1], exhibits [65-1] and redacted declarations [66-1], [67-1], [68-1], [69-1], [70-1], [71-1], [72-1], [73-1], [74-1], [75-1], [76-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [5:99cv21164]
- 7/6/99 78 CLERK'S NOTICE of impending reassignment to a United States District Judge. All currently calendared dates before Judge Fern M. Smith are VACATED. [3:98-cv-04507] (lcc) [Entry date 07/12/99] [5:99cv21164]
-
- 8/19/99 79 REASSIGNMENT ORDER by Assignment Committee: Case reassigned to Judge William H. Alsup (Date Entered: 8/19/99) (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 08/19/99] [5:99cv21164]
- 8/20/99 80 ORDER by Judge William H. Alsup for counsel to submit a joint status report within 15 days. (Date Entered: 8/23/99) (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 08/23/99] [5:99cv21164]
- 8/27/99 81 JOINT CLAIM CONSTRUCTION STATEMENT pursuant to Local Rule 16-11(b) [3:98-cv-04507] (slh) [Entry date 08/30/99] [5:99cv21164]
- 9/3/99 82 CLERK'S NOTICE: Case Management Conference set for 2:00 9/10/99 [3:98-cv-04507] (slh) [Entry date 09/08/99] [5:99cv21164]
- 9/7/99 83 JOINT STATUS REPORT by parties [3:98-cv-04507] (slh) [Entry date 09/08/99] [5:99cv21164]
- 9/10/99 84 LETTER dated 9/10/99 from William L. Anthony in 3:98-cv-04507 amending the service list. [3:98-cv-04507] (slh) [Entry date 09/16/99] [5:99cv21164]
- 9/13/99 85 MINUTES: (C/R Raynee Mercado) (Hearing Date: 9/10/99) Case management conference held; Tutorial shall be held 1/26/00 at 2:00; Claim construction hearing will be held 2:00 2/16/00 & 2/18/00 and 4:00 2/17/00; Discovery cutoff set for 3/17/00; cutoff date for expert discovery is 6/20/00; Deadline for dispositive motion filings is 5/25/00; Pretrial conference set for 2:30 9/4/00; Jury trial will held 8:00 9/11/00 [3:98-cv-04507] (slh) [Entry date 09/16/99] [5:99cv21164]
- 9/13/99 86 CASE MANAGEMENT ORDER by Judge William H. Alsup: A tutorial for the Court shall be held 1/26/00 from 2:00 to 6:00; Claim construction hearing will be held 2:00 2/16/00 & 2/18/00 and 4:00 2/17/00; dispositive motions will be filed by 5/25/00; Pre-trial conference will be held 2:30

U.S. District Court Web PACER(v2.3) Docket Report

Page 16 of 84

- 9/4/00; Jury Trial set for 8:00 9/11/00 (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 09/16/99] [5:99cv21164]
- 9/14/99 87 NOTICE by Plaintiff in 3:98-cv-04507 of entry of stipulation and order to extend filing date of the joint claim construction statement. [3:98-cv-04507] (slh) [Entry date 09/16/99] [5:99cv21164]
□
- 9/15/99 88 AMENDED CASE MANAGEMENT ORDER by Judge William H. Alsup: A tutorial for the Court shall be held 2:00 1/26/00; Claims construction hearing will be held 2:00 2/16/00; Discovery cutoff 3/17/00; deadline for discovery from experts is 4/7/00; dispositive motions will be filed by 5/25/00; Pre-trial conference be held 2:30 8/21/00; Jury Trial set for 8:00 9/11/00 (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 09/20/99] [5:99cv21164]
- 9/21/99 89 ORDER by Judge William H. Alsup: A technology tutorial shall be held for the Court 1/26/00 from 2:00pm to 6:00pm; A claim construction hearing shall be held from 2:00pm to 6:00pm on 2/16/00, 4:00pm to 6:00pm on 2/17/00 and 2:00pm to 6:00pm on 2/18/00. Parties are to submit written statements on whether: (1) the claim construction hearings should be consolidated; and (2) whether the parties to Affymetrix Inc. -v- Hyseq Inc., C98-3192 should participate in the technology tutorial scheduled in Affymetrix Inc. -v- Synteni Inc., C98-4507. Statements shall be filed no later than fifteen days from the date of this order. (Date Entered: 9/24/99) (cc: all counsel) [3:98-cv-03192, 3:98-cv-04507] (lmh) [Entry date 09/24/99] [5:99cv21164]
- 9/28/99 90 ORDER by Judge William H. Alsup to submit promptly any information re any grounds for recusal (Date Entered: 10/4/99) (cc: all counsel) [3:98-cv-04507] (rs) [Entry date 10/04/99] [5:99cv21164]
- 10/6/99 91 STATEMENT by Plaintiff re: consolidated claim construction proceedings. [3:98-cv-03192, 3:98-cv-04507] (slh) [Entry date 10/07/99] [5:99cv21164]
- 10/14/99 94 ORDER by Judge William H. Alsup: the court orders that the claim construction hearing previously ordered herein will be conducted jointly with related case no C 98-3192 WHA as per the appened order; Counsel shall please coordinate service of briefs and allocation of time at the hearing; time shaould be reserved for the claims unique to the present case (Date Entered: 10/19/99) (cc: all counsel) [3:98-cv-04507] (bug) [Entry date 10/19/99] [5:99cv21164]
- 10/15/99 92 STATEMENT Plaintiff in 3:98-cv-04507 in response to order to submit promptly any information re any grounds for recusal [90-1] [3:98-cv-04507] (slh) [Entry date 10/19/99] [5:99cv21164]
- 10/15/99 93 PROOF OF SERVICE by Plaintiff in 3:98-cv-04507 of statement [92-1] [3:98-cv-04507] (slh) [Entry date 10/19/99] [5:99cv21164]
- 10/19/99 95 LETTER dated 10/18/99 from Mary A.P. Howell re: service

list. [3:98-cv-04507] (slh) [Entry date 10/20/99]
 [5:99cv21164]

□

- 10/20/99 96 MINUTES: (C/R Jim Yeomans) (Hearing Date: 10/20/99)
 Telephone conference held; plaintiff's counsel Ms. Howard
 shall supply further information on the nature of
 representation to all parties and the court within 1 week;
 parties shall file briefs re: positions under 455 by
 11/9/99. [3:98-cv-03192, 3:98-cv-04507] (slh)
 [Entry date 10/21/99] [5:99cv21164]
- 10/29/99 97 STATEMENT IN RESPONSE by Plaintiff Affymetrix, Inc. to
 Court's 10/20/99 request for further information regarding
 Affymetrix' Morrison & Foerster contacts [3:98-cv-04507,
 3:98-cv-03192] (slh) [Entry date 11/01/99] [5:99cv21164]
- 10/29/99 98 DECLARATION by Elizabeth A. Howard on behalf of Plaintiff
 in support of statement in response [97-1] in
 3:98-cv-04507, [147-1] in 3:98-cv-03192 [3:98-cv-04507,
 3:98-cv-03192] (slh) [Entry date 11/01/99] [5:99cv21164]
- 11/2/99 99 PROOF OF SERVICE by Plaintiff in 3:98-cv-04507 of response
 [97-1], declaration [98-1] [3:98-cv-04507] (slh)
 [Entry date 11/04/99] [5:99cv21164]
- 11/2/99 100 MINUTES: (C/R Leo Mankiewicz) (Hearing Date: 11/2/99)
 Telephone conference re: possible grounds for recusal held.
 [3:98-cv-04507, 3:98-cv-03192] (slh) [Entry date 11/10/99]
 [5:99cv21164]
- 11/12/99 101 REPORTER'S TRANSCRIPT; Date of proceedings: 10/20/99 (C/R:
 James Yeomans) minutes [96-1] [3:98-cv-04507] (slh)
 [Entry date 11/16/99] [5:99cv21164]
- 11/30/99 102 MINUTES: (C/R Jill Barham) (Hearing Date: 11/30/99); Judge
 Alsup is going to recuse himself [3:98-cv-04507] (bug)
 [Entry date 12/06/99] [5:99cv21164]
- 11/30/99 103 ORDER by Judge William H. Alsup: recusing himself in this
 action and request that the case be reassigned; all
 pending dates are hereby VACATED and are to be reset by the
 newly assigned Judge (Date Entered: 12/6/99) (cc: all
 counsel) [3:98-cv-04507] (bug) [Entry date 12/06/99]
 [5:99cv21164]
- 12/6/99 104 ORDER by Assignment Committee Case reassigned to Judge
 Jeremy Fogel (Date Entered: 12/17/99) (cc: all counsel)
 [3:98-cv-04507] (bug) [Entry date 12/17/99] [5:99cv21164]
- 12/23/99 105 MOTION before Judge Jeremy Fogel for entry of agreed
 protective order regarding discovery form third party
 Monsanto Co. [5:99-cv-21164] (gm) [Entry date 12/28/99]
 [5:99cv21164]
- 1/4/00 106 NOTICE OF OBJECTIONS by Plaintiff Affymetrix, Inc.,
 Counter-defendant Affymetrix, Inc. to order of Speical
 Master [5:99-cv-21164] (gm) [Entry date 01/05/00]

□

[5:99cv21164]

1/4/00 107 DECLARATION by Rita E. Tautkus on behalf of Plaintiff Affymetrix, Inc., Counter-defendant Affymetrix, Inc. in support of objection [106-1] [5:99-cv-21164] (gm) [Entry date 01/05/00] [5:99cv21164]

1/4/00 108 COURTESY APPENDIX of unreported cases and authorities filed by Plaintiff Affymetrix, Inc., Counter-defendant Affymetrix, Inc. □[5:99-cv-21164] (gm) [Entry date 01/05/00] [5:99cv21164]

1/6/00 109 CLERK'S NOTICE Case Management Conference set for 10:30 2/28/00 ; [5:99-cv-21164] (gm) [Entry date 01/07/00] [5:99cv21164]

1/6/00 110 ORDER by Judge Jeremy Fogel relating cases; 5:99-cv-21111 with member cases 5:99-cv-21164 (Date Entered: 1/10/99) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 01/10/00] [5:99cv21164]

1/25/00 111 OBJECTIONS by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to discovery order by Special Master re file histories [5:99-cv-21164] (gm) [Entry date 01/25/00] [5:99cv21164]

1/25/00 112 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of objection [111-1] [5:99-cv-21164] (gm) [Entry date 01/25/00] [5:99cv21164]

1/25/00 113 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [112-1], objection [111-1] [5:99-cv-21164] (gm) [Entry date 01/25/00] [5:99cv21164]

1/27/00 114 AMENDED PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [112-1] [5:99-cv-21164] (gm) [Entry date 01/31/00] [5:99cv21164]

1/31/00 115 ORDER setting briefing schedule regarding objections to order of Special Master by Judge Jeremy Fogel (Date Entered: 2/1/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 02/01/00] [5:99cv21164]

2/4/00 116 NOTICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of change of Firm Name [5:99-cv-21164] (gm) [Entry date 02/09/00] [5:99cv21164]

□

2/14/00 117 RESPONSE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 re objection [106-1] [5:99-cv-21164] (gm) [Entry date 02/16/00] [5:99cv21164]

- 2/14/00 118 DECLARATION by Jennifer A. Tipsord on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 in response to objection [106-1] [5:99-cv-21164] (gm) [Entry date 02/16/00] [5:99cv21164]
- 2/14/00 119 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [118-1], response [117-1] [5:99-cv-21164] (gm) [Entry date 02/16/00] [5:99cv21164]
- 2/14/00 120 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164, Counter-defendant Affymetrix, Inc. in 5:99-cv-21164 to objection [111-1] [5:99-cv-21164] (gm) [Entry date 02/16/00] [5:99cv21164]
- 2/14/00 121 DECLARATION by Rita E. Tautkus on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164, Counter-defendant Affymetrix, Inc. in 5:99-cv-21164 in support of opposition [120-1] [5:99-cv-21164] (gm) [Entry date 02/16/00] [5:99cv21164]
- 2/17/00 122 CLERK'S NOTICE Case Management Conference set for 10:30 4/17/00 ; [5:99-cv-21164] (gm) [Entry date 02/23/00] [5:99cv21164]
- 4/7/00 123 JOINT CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [5:99-cv-21164] (gm) [Entry date 04/10/00] [5:99cv21164]
- 4/12/00 124 CLERK'S NOTICE Case Management Conference set for 9:00 7/10/00 ; [5:99-cv-21164] (gm) [Entry date 04/14/00] [5:99cv21164]
- 5/22/00 125 EXPEDITED MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 for early CMC [5:99-cv-21164] (gm) [Entry date 05/26/00] [5:99cv21164]
- 5/23/00 127 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 for leave to file an amended answer and counterclaims with Notice set for 8/7/00 at 9:00 (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/26/00] [5:99cv21164]
-
- 5/23/00 128 MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for leave to file an amended answer and counterclaims [127-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/26/00] [5:99cv21164]
- 5/23/00 129 DECLARATION by Don F. Livornese on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for leave to file an amended answer and counterclaims [127-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm)

[Entry date 05/26/00] [5:99cv21164]

- 5/23/00 130 FIRST AMENDED ANSWER to complaint [1-1] and COUNTERCLAIM; jury demand by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 against Plaintiff Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 05/26/00] [5:99cv21164]
- 5/23/00 131 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of answer [130-1], counterclaim [130-2], declaration [129-1], memorandum [128-1], motion for leave to file an amended answer and counterclaims [127-1] [5:99-cv-21164] (gm) [Entry date 05/26/00] [5:99cv21164]
- 5/25/00 132 RESPONSE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 re motion for early CMC [125-1] [5:99-cv-21164] (gm) [Entry date 06/06/00] [5:99cv21164]
- 5/25/00 133 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of response [132-1] [5:99-cv-21164] (gm) [Entry date 06/06/00] [5:99cv21164]
- 5/25/00 134 ORDER by Judge Jeremy Fogel denying motion for early CMC [125-1] (Date Entered: 6/6/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 06/06/00] [5:99cv21164]
- 5/26/00 135 AMENDED RESPONSE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 re motion for early CMC [125-1] [5:99-cv-21164] (gm) [Entry date 06/06/00] [5:99cv21164]
- 5/26/00 136 AMENDED PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of response [135-1] [5:99-cv-21164] (gm) [Entry date 06/06/00] [5:99cv21164]
-
- 6/12/00 137 EX-PARTE APPLICATION before Judge Jeremy Fogel by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 for an expedited hearing and briefing schedule for their motion for leave to file amended answers and ocounterclaims [5:99-cv-21164] (gm) [Entry date 06/14/00] [5:99cv21164]
- 6/12/00 138 DECLARATION by Don F. Livornese on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for an expedited hearing and briefing schedule for their motion for leave to file amended answers and ocounterclaims [137-1] [5:99-cv-21164] (gm) [Entry date 06/14/00] [5:99cv21164]
- 6/12/00 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion for an expedited hearing and briefing schedule for their motion for leave to file amended answers and ocounterclaims [137-1] [5:99-cv-21164]

(gm) [Entry date 06/14/00] [5:99cv21164]

- 6/12/00 139 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], declaration [138-1], motion for an expedited hearing and briefing schedule for their motion for leave to file amended answers and ocounterclaims [137-1] [5:99-cv-21164] (gm)
[Entry date 06/14/00] [5:99cv21164]
- 6/12/00 140 NOTICE by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 of association of attorney Morgan Chu, Richard De Bodo, Jeffrey L. Arrington [5:99-cv-21164] (gm)
[Entry date 06/14/00] [5:99cv21164]
- 6/14/00 141 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164, Counter-defendant Affymetrix, Inc. in 5:99-cv-21164 to motion for an expedited hearing and briefing schedule for their motion for leave to file amended answers and ocounterclaims [137-1] [5:99-cv-21164] (gm)
[Entry date 06/15/00] [5:99cv21164]
- 6/16/00 142 PROOF OF SERVICE by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 of opposition [141-1] [5:99-cv-21164] (gm)
[Entry date 06/19/00] [5:99cv21164]
- 6/28/00 143 ORDER by Judge Jeremy Fogel denying motion for an expedited hearing and briefing schedule for their motion for leave to file amended answers and ocounterclaims [137-1] (Date Entered: 6/29/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 06/29/00] [5:99cv21164]
- 6/29/00 144 CLERK'S NOTICE CMC set for 7/10/00 at 9:00 [5:99-cv-21164] (gm) [Entry date 06/30/00] [5:99cv21164]
□
- 7/7/00 145 JOINT CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [5:99-cv-21164] (gm) [Entry date 07/10/00] [5:99cv21164]
- 7/10/00 146 ORDER overruling objections to discovery order by Speical Master by Judge Jeremy Fogel (Date Entered: 7/11/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 07/11/00] [5:99cv21164]
- 7/10/00 147 ORDER by Judge Jeremy Fogel consolidating cases 5:99-cv-21164 with member cases 5:99-cv-21165 (Date Entered: 7/11/00) (cc: all counsel) [5:99-cv-21164] (gm)
[Entry date 07/11/00] [5:99cv21164]
- 7/10/00 148 MINUTES: (C/R Peter Torreano) INITIAL CASE MANAGEMENT CONFERENCE HELD. In court law and motion hearing will be held 9:00 8/7/00 ; [5:99-cv-21164] (gm)
[Entry date 07/11/00] [5:99cv21164]
- 7/17/00 149 RESPONSE by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 re motion for leave to file an amended answer and counterclaims [127-1] [5:99-cv-21164] (gm)
[Entry date 07/18/00] [5:99cv21164]
- 7/18/00 -- CERTIFICATE of Record mailed to USCA, counsel notified.

[5:99-cv-21164] (gm) [Entry date 07/18/00] [5:99cv21164]

7/18/00 150 LETTER dated 7/18/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 07/19/00] [5:99cv21164]

7/18/00 151 LETTER dated 7/18/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 07/19/00] [5:99cv21164]

7/19/00 152 LETTER dated 7/19/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 07/20/00] [5:99cv21164]

7/20/00 153 ORDER by Judge Jeremy Fogel granting motion for an expedited hearing and briefing schedule for their motion for leave to file amended answers and counterclaims [137-1] (Date Entered: 7/20/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 07/20/00] [5:99cv21164]

7/21/00 154 LETTER dated 7/21/00 from Jeffrey L. Arrington in 5:99-cv-21164 [5:99-cv-21164] (cm) [Entry date 07/24/00] [5:99cv21164]

7/24/00 155 REPLY by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion for leave to file an amended answer and counterclaims [127-1] [5:99-cv-21164] (gm) [Entry date 07/26/00] [5:99cv21164]

□

7/24/00 156 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of reply [155-1] [5:99-cv-21164] (gm) [Entry date 07/26/00] [5:99cv21164]

7/24/00 157 LETTER dated 7/24/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 07/26/00] [5:99cv21164]

7/24/00 158 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of letter [157-1] [5:99-cv-21164] (gm) [Entry date 07/26/00] [5:99cv21164]

7/26/00 -- Docket Modification (Administrative) to referring case for discovery to Mag. Judge Edward A. Infante [5:99-cv-21164] (gm) [Entry date 07/26/00] [5:99cv21164]

7/26/00 159 LETTER dated 7/26/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 07/31/00] [5:99cv21164]

7/31/00 160 ORDER by Judge Jeremy Fogel granting motion for leave to file an amended answer and counterclaims [127-1] (Date Entered: 8/2/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]

7/31/00 161 LETTER dated 7/31/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164

[5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]

- 7/31/00 162 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of letter [161-1] [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/2/00 163 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to compel production of documents related to Commercial success & tortious interference with contract [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/2/00 164 DECLARATION by Catherine A. Moore on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
-
- 8/2/00 165 DECLARATION by Buckmaster De Wolf on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/2/00 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/2/00 166 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], declaration [165-1], declaration [164-1], motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/2/00 167 ORDER by Mag. Judge Edward A. Infante granting motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] and granting plaintiff leave to file a motion for protective order and setting briefing schedule (Date Entered: 8/2/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/2/00 168 ORDER denying defendants leave to file motion to compel Affytmetrix to produce third party witnesses it represents for consecutive days of deposition by Mag. Judge Edward A. Infante (Date Entered: 8/2/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 08/02/00] [5:99cv21164]
- 8/7/00 169 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in

5:99-cv-21164 of service [166-1], order received [0-0] [5:99-cv-21164] (gm) [Entry date 08/08/00] [5:99cv21164]

8/7/00 170 LETTER dated 8/7/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 08/08/00] [5:99cv21164]

8/7/00 171 NOTICE OF MOTION AND MOTION before Mag. Judge Edward A. Infante by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 for protective order re: OGT's production to defendants ; supporting declarations of Peter Root, Rita E. Tautkus, and Jeffrey L. Arrington [5:99-cv-21164] (gm) [Entry date 08/08/00] [5:99cv21164]

□

8/9/00 172 ORDER denying plaintiff leave to file motion to compel defendants to produce opinions of counsel by Mag. Judge Edward A. Infante (Date Entered: 8/15/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 08/15/00] [5:99cv21164]

8/9/00 173 STIPULATION and ORDER to extend the briefing schedule for defendants' motion to compel production of documents by Mag. Judge Edward A. Infante : (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 08/15/00] [5:99cv21164]

8/10/00 174 MINUTES: plaintiff's 8/7/00 letter leave reques tto file motion is denied. (C/R Kynele Siminov) (Hearing Date: 8/8/00) [5:99-cv-21164] (gm) [Entry date 08/15/00] [5:99cv21164]

8/11/00 175 FIRST AMENDED ANSWER AND COUNTERCLAIM [130-2] by Synteni, Inc. and Incyte Pharmaceuticals, Inc. [5:99-cv-21164] (FILED UNDER SEAL) (gm) [Entry date 08/15/00] [Edit date 08/15/00] [5:99cv21164]

8/11/00 176 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of reply answer [175-1] [5:99-cv-21164] (gm) [Entry date 08/15/00] [5:99cv21164]

8/14/00 177 LETTER BRIEF dated 8/14/00 from Don F. Livornese in 5:99-cv-21164 from Synteni, Inc. in 5:99-cv-21164, Incyte Pharmaceuticals in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 178 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of letter [177-1] [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 179 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of letter [177-1] [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 180 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm)

[Entry date 08/18/00] [5:99cv21164]

8/14/00 181 OPPOSITION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to motion for protective order re: OGT's production to defendants [171-1] [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

□

8/14/00 182 DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of opposition [181-1] [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 183 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 for protective order re Dr. Michael C. Pirrung [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 184 DECLARATION by Marcus T. Hall on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for protective order re Dr. Michael C. Pirrung [183-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 185 MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for protective order re Dr. Michael C. Pirrung [183-1] [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/14/00 186 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of memorandum [185-1], declaration [184-1], motion for protective order re Dr. Michael C. Pirrung [183-1] [5:99-cv-21164] (gm) [Entry date 08/18/00] [5:99cv21164]

8/17/00 187 AMENDED PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of service [186-1], memorandum [185-1], declaration [184-1], motion for protective order re Dr. Michael C. Pirrung [183-1] [5:99-cv-21164] (gm) [Entry date 08/22/00] [5:99cv21164]

8/17/00 188 ORDER granting defendants leave to file motion to compel production of documents and setting briefing schedule by Judge Jeremy Fogel (Date Entered: 8/22/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 08/22/00] [5:99cv21164]

8/17/00 189 REPORTER'S TRANSCRIPT; Date of proceedings: 8/1/00 (C/R: Peter Torreano) [5:99-cv-21164] (gm) [Entry date 08/22/00] [5:99cv21164]

□

8/21/00 190 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by

defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 to bifurcate discovery and trial on the issue of willful infringement with Notice set for 9/25/00 at 9:00 [5:99-cv-21164] (gm)
 [Entry date 08/24/00] [5:99cv21164]

- 8/21/00 191 MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to bifurcate discovery and trial on the issue of willful infringement [190-1] [5:99-cv-21164] (gm)
 [Entry date 08/24/00] [5:99cv21164]
- 8/21/00 192 DECLARATION by Don F. Livornese on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to bifurcate discovery and trial on the issue of willful infringement [190-1] [5:99-cv-21164] (gm)
 [Entry date 08/24/00] [5:99cv21164]
- 8/21/00 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164) re: motion to bifurcate discovery and trial on the issue of willful infringement [190-1] [5:99-cv-21164] (gm) [Entry date 08/24/00] [5:99cv21164]
- 8/21/00 193 REPLY by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164, Counter-claimant Synteni, Inc. in 5:99-cv-21164, Counter-claimant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] [5:99-cv-21164] (gm) [Entry date 08/24/00]
 [5:99cv21164]
- 8/21/00 194 REPLY BRIEF by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion for protective order re: OGT's production to defendants [171-1] [5:99-cv-21164] (gm)
 [Entry date 08/24/00] [5:99cv21164]
- 8/22/00 195 REPORTER'S TRANSCRIPT; Date of proceedings: 8/1/00 (C/R: Peter Torreano) [5:99-cv-21164] (gm) [Entry date 08/24/00]
 [5:99cv21164]
-
- 8/25/00 196 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to strike and dismiss certain allegations of inequitable conduct with Notice set for 10/10/00 at 9:00 [5:99-cv-21164] (gm)
 [Entry date 08/29/00] [5:99cv21164]
- 8/25/00 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to strike and dismiss certain

U.S. District Court Web PACER(v2.3) Docket Report

Page 27 of 84

- allegations of inequitable conduct [196-1] [5:99-cv-21164]
 (gm) [Entry date 08/29/00] [5:99cv21164]
- 8/28/00 197 NOTICE OF MOTION AND MOTION before Mag. Judge Edward A. Infante by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [5:99-cv-21164] (gm)
 [Entry date 08/31/00] [5:99cv21164]
- 8/28/00 198 DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] [5:99-cv-21164] (gm)
 [Entry date 08/31/00] [5:99cv21164]
- 8/28/00 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] [5:99-cv-21164] (gm) [Entry date 08/31/00]
 [5:99cv21164]
- 8/28/00 199 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], declaration [198-1], motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] [5:99-cv-21164] (gm) [Entry date 08/31/00] [5:99cv21164]
- 9/5/00 200 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion to bifurcate discovery and trial on the issue of willful infringement [190-1] [5:99-cv-21164] (gm)
 [Entry date 09/06/00] [5:99cv21164]
- 9/5/00 200 COUNTER-MOTION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to compel production of legal opinions and related discovery with Notice set for 9/25/00 at 9:00 [5:99-cv-21164] (gm) [Entry date 09/06/00] [5:99cv21164]
- 9/5/00 200 DECLARATION by Jeffrey L. Arrington on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion to compel production of legal opinions and related discovery [200-1] [5:99-cv-21164] (gm) [Entry date 09/06/00]
 [5:99cv21164]
-
- 9/5/00 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to compel production of legal opinions and related discovery [200-1] [5:99-cv-21164] (gm)
 [Entry date 09/06/00] [5:99cv21164]
- 9/6/00 201 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] [5:99-cv-21164] (gm) [Entry date 09/11/00] [5:99cv21164]
- 9/11/00 202 REPLY by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support

U.S. District Court Web PACER(v2.3) Docket Report

Page 28 of 84

of motion to bifurcate discovery and trial on the issue of willful infringement [190-1] [5:99-cv-21164] (gm)
 [Entry date 09/12/00] [5:99cv21164]

- 9/11/00 202 OPPOSITION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to motion to compel production of legal opinions and related discovery [200-1] [5:99-cv-21164] (gm) [Entry date 09/12/00] [5:99cv21164]
- 9/11/00 203 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of reply [202-1] [5:99-cv-21164] (gm) [Entry date 09/12/00] [5:99cv21164]
- 9/11/00 204 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [203-1], opposition [202-1], reply [202-1] [5:99-cv-21164] (gm) [Entry date 09/12/00] [5:99cv21164]
- 9/11/00 205 REPLY by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] [5:99-cv-21164] (gm) [Entry date 09/12/00] [5:99cv21164]
- 9/11/00 206 DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of reply [205-1] [5:99-cv-21164] (gm) [Entry date 09/12/00] [5:99cv21164]
- 9/11/00 207 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [206-1], reply [205-1] [5:99-cv-21164] (gm) [Entry date 09/12/00] [5:99cv21164]
- 9/12/00 208 LETTER dated 9/12/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 09/13/00] [5:99cv21164]
-
- 9/12/00 209 REPLY by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] [5:99-cv-21164] (gm) [Entry date 09/13/00] [5:99cv21164]
- 9/12/00 210 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of reply [209-1] [5:99-cv-21164] (gm) [Entry date 09/13/00] [5:99cv21164]
- 9/19/00 211 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion for protective order re Dr. Michael C. Pirrung [183-1] [5:99-cv-21164] (gm) [Entry date 09/21/00] [5:99cv21164]
- 9/19/00 211 COUNTER-MOTION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 for protective order and supporting

declaration of Vern Norviel with Notice set for 10/10/00
 at 9:00 [5:99-cv-21164] (gm) [Entry date 09/21/00]
 [5:99cv21164]

- 9/19/00 212 DECLARATION by Jeffrey L. Arrington on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion for protective order and supporting declaration of Vern Norviel [211-1], re opposition [211-1] [5:99-cv-21164] (gm) [Entry date 09/21/00] [5:99cv21164]
- 9/19/00 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: opposition [211-1] [5:99-cv-21164] (gm) [Entry date 09/21/00] [5:99cv21164]
- 9/19/00 213 OPPOSITION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to motion to strike and dismiss cerain allegations of inequitable conduct [196-1] [5:99-cv-21164] (gm) [Entry date 09/21/00] [5:99cv21164]
- 9/20/00 214 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of opposition [213-1] [5:99-cv-21164].(gm) [Entry date 09/22/00] [5:99cv21164]
- 9/22/00 215 LETTER dated 9/22/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 09/22/00] [5:99cv21164]
- 9/22/00 216 EX-PARTE APPLICATION before Judge Jeremy Fogel by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to continue hearing and briefing schedule [5:99-cv-21164] (gm) [Entry date 09/25/00] [5:99cv21164]
-
- 9/22/00 217 DECLARATION by Marcus T. Hall on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to continue hearing and briefing schedule [216-1] [5:99-cv-21164] (gm) [Entry date 09/25/00] [5:99cv21164]
- 9/22/00 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion to continue hearing and briefing schedule [216-1] [5:99-cv-21164] (gm) [Entry date 09/25/00] [5:99cv21164]
- 9/22/00 218 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], declaration [217-1], motion to continue hearing and briefing schedule [216-1] [5:99-cv-21164] (gm) [Entry date 09/25/00] [5:99cv21164]
- 9/26/00 219 REPLY by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion to strike and dismiss cerain allegations of inequitable conduct [196-1] [5:99-cv-21164] (gm) [Entry date 09/27/00] [5:99cv21164]
- 9/26/00 220 ORDER by Judge Jeremy Fogel requiring defendants to submit

ocunsel opinions for in cmaera review re [190-1] (Date
 Entered: 9/27/00) (cc: all counsel) [5:99-cv-21164] (gm)
 [Entry date 09/27/00] [5:99cv21164]

9/27/00 221 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion to continue hearing and briefing schedule [216-1] [5:99-cv-21164] (gm) [Entry date 09/29/00] [5:99cv21164]

9/27/00 222 LETTER dated 9/27/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 09/29/00] [5:99cv21164]

9/29/00 223 ORDER by Judge Jeremy Fogel granting motion to continue hearing and briefing schedule [216-1] reply to be filed by 10/10/00 ; setting hearing on motion for protective order and supporting declaration of Vern Norviel [211-1] 9:00 10/23/00, setting hearing on motion to strike and dismiss cerain allegations of inequitable conduct [196-1] 9:00 10/23/00, setting hearing on motion for protective order re Dr. Michael C. Pirrung [183-1] 9:00 10/23/00 (Date Entered: 10/2/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 10/02/00] [5:99cv21164]

9/29/00 224 ORDER by Mag. Judge Edward A. Infante granting in part and denying in part motion to compel production of documents related to Commercial success & tortious interference with contract [163-1] (Date Entered: 10/4/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 10/04/00] [5:99cv21164]

□

9/29/00 225 ORDER by Mag. Judge Edward A. Infante granting motion for protective order re: OGT's production to defendants [171-1] (Date Entered: 10/04/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 02/23/01] [5:99cv21164]

10/2/00 226 NOTICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [223-1] order [5:99-cv-21164] (gm) [Entry date 10/04/00] [5:99cv21164]

10/10/00 227 LETTER dated 10/10/00 from Teresa M. Corbin in 5:99-cv-21164 from Synteni, Inc. in 5:99-cv-21164, Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/10/00 228 REPLY by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 re opposition [221-1] [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/10/00 228 OPPOSITION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to motion for protective order and supporting declaration of Vern Norviel [211-1] [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/10/00 229 DECLARATION by Marcus T. Hall on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for

protective order re Dr. Michael C. Pirrung [183-1] [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/10/00 230 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for protective order re Dr. Michael C. Pirrung [183-1] [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/10/00 231 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [230-1], declaration [229-1], opposition [228-1], reply [228-1] [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/11/00 232 ORDER by Mag. Judge Edward A. Infante granting in part and denying in part motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] (Date Entered: 10/18/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/11/00 233 ORDER re request for conference by Judge Jeremy Fogel (Date Entered: 10/18/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

□

10/13/00 234 ORDER by Judge Jeremy Fogel finding the motion to compel production of legal opinions and related discovery [200-1] moot., denying motion to bifurcate discovery and trial on the issue of willful infringement [190-1] (Date Entered: 10/18/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 10/18/00] [5:99cv21164]

10/19/00 235 REPLY BRIEF by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion for protective order and supporting declaration of Vern Norviel [211-1] [5:99-cv-21164] (gm) [Entry date 10/23/00] [5:99cv21164]

10/24/00 236 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of Letter to the Honorable Edward A. Infante [5:99-cv-21164] (gm) [Entry date 10/25/00] [5:99cv21164]

10/24/00 253 LETTER dated 10/24/00 from Jennifer Tipsord Sklenar re: to seek your Honor's assistance in obtaining the compliance of plaintiff Affymetrix, Inc. with two orders of this court. [5:99-cv-21164] (lfc) [Entry date 11/01/00] [5:99cv21164]

10/25/00 237 EX-PARTE APPLICATION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to file an Opening Brief on claim construction to exceed 25 page limitation [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to file an Opening Brief on claim construction to exceed 25 page limitation [237-1] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 -- RECEIVED Opening Brief in support of its proposed claim

construction1 submitted by Plaintiff Affymetrix, Inc. in
5:99-cv-21164 Filed under seal [5:99-cv-21164] (gm)
[Entry date 10/27/00] [5:99cv21164]

10/25/00 238 DECLARATION by Jeffrey L. Arrington on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 239 APPENDIX VOLUME 1 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 240 APPENDIX VOLUME 2 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

• □

10/25/00 241 APPENDIX VOLUME 3 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 242 APPENDIX VOLUME 4 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 243 APPENDIX VOLUME 5 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 244 APPENDIX VOLUME 6 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 245 APPENDIX VOLUME 7 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 246 APPENDIX VOLUME 8 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 247 APPENDIX VOLUME 9 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/25/00 248 APPENDIX VOLUME 10 filed by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of Opening Brief document received [0-0] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/26/00 249 EX-PARTE APPLICATION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 for an order prohibiting defendants from asserting claim construction positions not in the parties' joint claim construction statements; declaration of Marc A. Fenster [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

10/26/00 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion for an order prohibiting defendants from asserting claim construction positions not in the parties' joint claim construction statements; declaration of Marc A. Fenster [249-1] [5:99-cv-21164] (gm) [Entry date 10/27/00] [5:99cv21164]

□

10/26/00 250 LETTER dated 10/26/00 from Synteni, Inc. in 5:99-cv-21164, Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 10/30/00] [5:99cv21164]

10/27/00 251 MINUTES: Phone conference held. Defendant's Request for leave to file motion for copying costs is resolved. (C/R Melissa Peralta) (Hearing Date: 10/27/00) [5:99-cv-21164] (gm) [Entry date 10/30/00] [5:99cv21164]

10/27/00 252 ORDER by Judge Jeremy Fogel appointing Special Master for discovery (Date Entered: 10/30/00) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 10/30/00] [5:99cv21164]

10/27/00 254 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of Opposition and Declaration of Teresa M. Corbin [5:99-cv-21164] (gm) [Entry date 11/01/00] [5:99cv21164]

10/30/00 255 REPORTER'S TRANSCRIPT; Date of proceedings: 10/23/00 (C/R: Peter Torreano) [5:99-cv-21164] (gm) [Entry date 11/01/00] [5:99cv21164]

11/2/00 256 MINUTES: (C/R Peter Torreano). (Hearing Date: 10/23/00) In court claims construction hearing will be held 9:00 11/29/00 and 11/30/00 at 9:00 ; [5:99-cv-21164] (gm) [Entry date 11/07/00] [5:99cv21164]

11/7/00 257 LETTER dated 11/7/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 11/08/00] [5:99cv21164]

11/27/00 258 SUPPLEMENT by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 re documents [248-1], re documents [247-1], re documents [246-1], re documents [245-1], re documents [244-1], re documents [243-1], re documents [242-1], re documents [241-1], re documents [240-1], re documents [239-1] [5:99-cv-21164] (gm) [Entry date 11/28/00] [5:99cv21164]

11/27/00 259 LETTER dated 11/27/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 11/30/00] [5:99cv21164]

11/29/00 260 SUPPLEMENTAL DECLARATION by Don F. Livornese and exhibits 62-95 in support of Incyte's proposed Claim Construction

[5:99-cv-21164] (gm) [Entry date 11/30/00] [5:99cv21164]

12/18/00 261 LETTER dated 12/18/00 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 12/27/00] [5:99cv21164]

1/9/01 262 LETTER dated 1/9/01 from Jeffrey L. Arrington in 5:99-cv-21164 from Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 01/10/01] [5:99cv21164]

□

3/1/01 263 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164, Counter-defendant Affymetrix, Inc. in 5:99-cv-21164 for leave to file motion for reconsideration of two definitions in 1/22/01 claims construction order [5:99-cv-21164] (gm) [Entry date 03/02/01] [5:99cv21164]

3/8/01 264 ORDER by Mag. Judge Edward A. Infante referring case for discovery to Magistrate Judge Richard Seeborg referring to Magistrate Judge Richard Seeborg the motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1] (Date Entered: 3/9/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 03/09/01] [5:99cv21164]

3/8/01 265 REPLY BRIEF re: construction of "Substantially Complementary" by Plaintiff Affymetrix, Inc. in 5:99-cv-21164, Counter-defendant Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 03/12/01] [5:99cv21164]

3/12/01 266 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by defendant Synteni, Inc./in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 with Notice set for 4/16/01 at 9:00 [5:99-cv-21164] (gm) [Entry date 03/14/01] [5:99cv21164]

3/12/01 267 MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 03/14/01] [5:99cv21164]

3/12/01 268 DECLARATION by Jennifer Sklenar on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 03/14/01] [5:99cv21164]

3/12/01 269 DECLARATION by Tod Bedilion on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305

[266-1] [5:99-cv-21164] (gm) [Entry date 03/14/01]
 [5:99cv21164]

□

3/12/01 270 DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 03/14/01] [5:99cv21164]

3/12/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 03/14/01] [5:99cv21164]

3/12/01 271 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], declaration [270-1], declaration [269-1], declaration [268-1], memorandum [267-1], motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 03/14/01] [5:99cv21164]

3/20/01 272 ORDER by Judge Jeremy Fogel vacating [264-1] Scheduling order referring case for discovery to Magistrate Judge Richard Seeborg referring to Magistrate Judge Richard Seeborg the motion to compel production of documents relating to Affymetrix' litigation with OGT and Hyseq [197-1], vacating [264-2] order to case(s) 5:99-cv-21164, (Date Entered: 3/26/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 03/26/01] [5:99cv21164]

3/26/01 273 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 03/28/01] [5:99cv21164]

3/26/01 274 ORDER denying Incyte's motion for leave to file motion for partial reconsideration of order construing claims of U.S. patents nos. 5,445,934, 5,744,305, 5,800,992, and 5,795,716 by Judge Jeremy Fogel (Date Entered: 3/29/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 03/29/01] [5:99cv21164]

3/30/01 275 EX-PARTE APPLICATION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 for order authorizing re-filing of documents under seal [5:99-cv-21164] (gm) [Entry date 04/02/01] [5:99cv21164]

□

3/30/01 276 DECLARATION by Eric B. Carlson on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion for order authorizing re-filing of documents under seal [275-1] [5:99-cv-21164] (gm) [Entry date 04/02/01] [5:99cv21164]

3/30/01 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion for order authorizing re-filing of documents under seal [275-1] [5:99-cv-21164] (gm) [Entry date 04/02/01] [5:99cv21164]

4/2/01 277 MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 04/03/01] [5:99cv21164]

4/2/01 278 REPLY DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 04/03/01] [5:99cv21164]

4/2/01 279 REPLY DECLARATION by Tod Bedilion on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] [5:99-cv-21164] (gm) [Entry date 04/03/01] [5:99cv21164]

4/2/01 280 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [279-1], declaration [278-1], memorandum [277-1] [5:99-cv-21164] (gm) [Entry date 04/03/01] [5:99cv21164]

4/5/01 281 ORDER by Judge Jeremy Fogel granting in part and denying in part motion to strike and dismiss certain allegations of inequitable conduct [196-1] (Date Entered: 4/10/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 04/10/01] [5:99cv21164]

4/9/01 282 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 for order holding plaintiff Affymetrix, Inc. in civil contempt regarding commercial success production with Notice set for 5/14/01 at 9:00 [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]

4/9/01 283 DECLARATION by Ethan B. Andelman on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion for order holding plaintiff Affymetrix, Inc. in civil contempt regarding commercial success production [282-1] [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]

4/9/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion for order holding plaintiff

Affymetrix, Inc. in civil contempt regarding commercial success production [282-1] [5:99-cv-21164] (gm)
 [Entry date 04/11/01] [5:99cv21164]

- 4/9/01 284 MISCELLANEOUS ADMINISTRATIVE REQUEST to file under seal Exhibits 5,10,23,24,25,27,30 & 31 by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 for [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164) re: request [284-1] [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/9/01 285 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of order received [0-0], request [284-1], order received [0-0], declaration [283-1], motion for order holding plaintiff Affymetrix, Inc. in civil contempt regarding commercial success production [282-1] [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/9/01 286 REQUEST to file under seal by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 for [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164) re: request [286-1] [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/9/01 287 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of request [286-1], order received [0-0] [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Decalration of Ethan B. Andelman (Exhibit 5) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [Edit date 05/04/01] [5:99cv21164]
-
- 4/9/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 10) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 24) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 23) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support

of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm)
 [Entry date 05/04/01] [5:99cv21164]

- 4/9/01 -- RECEIVED Decalration of Ethan B. Andelman (Exhibit 25) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 27) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 30) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 31) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion: [282-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Motion for an Order holding plaintiff Affymetrix, Inc. in civil contempt re production fo file histories submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 (FILED UNDER SEAL) [5:99-cv-21164] (gm)* [Entry date 05/04/01] [5:99cv21164]
- 4/9/01 -- RECEIVED Declaration of Don F. Livornese submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion: [0-0] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
-
- 4/9/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: document received [0-0] [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/10/01 288 ORDER granting ex parte application for order authorizing re-filing of documents under seal by Judge Jeremy Fogel (Date Entered: 4/11/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 04/11/01] [5:99cv21164]
- 4/13/01 289 MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to file under seal declaration of Steven L. McKnight, Ph.D., and Jason Sheasby in opposition to Incyte's motion for partial summary judgment with Notice set for 4/16/01 at 9:00 [5:99-cv-21164] (gm) [Entry date 04/17/01] [5:99cv21164]
- 4/16/01 290 MINUTES: (C/R Peter Torreano) (Hearing Date: 4/16/01) that the motion for partial summary judgment of

non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] is submitted [5:99-cv-21164] (gm) [Entry date 04/24/01] [5:99cv21164]

- 4/17/01 291 ORDER by Judge Jeremy Fogel granting motion for leave to file motion for reconsideration of two definitions in 1/22/01 claims construction order [263-1] (Date Entered: 4/24/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 04/24/01] [5:99cv21164]
- 4/30/01 292 MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of document received [0-0] [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 293 DECLARATION by Ethan B. Andelman on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 re document received [0-0] [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 294 REQUEST by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 to file under seal exhibit 39 attached to the Supplemental declaration of Ethan B. Andelman [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164) re: request [294-1] [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
-
- 4/30/01 295 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of order received [0-0], request [294-1], declaration [293-1], memorandum [292-1] [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 -- RECEIVED Declaration of Ethan B. Andelman (Exhibit 39) submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion: [0-0] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 -- RECEIVED Reply submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 in support of motion: [0-0] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 -- RECEIVED Brief submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/04/01] [5:99cv21164]
- 4/30/01 296 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of document received [0-0], document received [0-0], document received [0-0] [5:99-cv-21164] (gm)

[Entry date 05/04/01] [5:99cv21164]

5/2/01 297 ORDER by Judge Jeremy Fogel granting motion to file under seal declaration of Steven L. McKnight, Ph.D., and Jason Sheasby in opposition to Incyte's motion for partial summary judgment [289-1] (Date Entered: 5/7/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 05/07/01] [5:99cv21164]

5/2/01 298 ORDER by Judge Jeremy Fogel granting motion for partial summary judgment of non-infringement of U.S. patent no. 5,445,934 and claims 1 and 3 through 13 of U.S. patent no. 5,774,305 [266-1] (Date Entered: 5/7/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 05/07/01] [5:99cv21164]

5/3/01 299 REPORT AND RECOMMENDATION of Special Master (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 05/09/01] [5:99cv21164]

5/7/01 -- RECEIVED Second Amended Answer and Counterclaim submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/09/01] [5:99cv21164]

□

5/7/01 300 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of document received [0-0] [5:99-cv-21164] (gm) [Entry date 05/09/01] [5:99cv21164]

5/9/01 301 MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to file under seal [5:99-cv-21164] (gm) [Entry date 05/10/01] [5:99cv21164]

5/11/01 302 MOTION with memorandum in support by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to increase Incyte's allotted number of depositons and interrogatories with Notice set for 5/22/01 at 10:00 [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion to increase Incyte's allotted number of depositons and interrogatories [302-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 303 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], motion to increase Incyte's allotted number of depositons and interrogatories [302-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 304 REPLY MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to increase Incyte's allotted number of depositons and interrogatories [302-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

- 5/11/01 305 REPLY DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to increase Incyte's allotted number of depositons and interogatories [302-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 306 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [305-1], reply [304-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 307 NOTICE OF MOTION AND MOTION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to compel producton of certain technical documents with Notice set for 5/22/01 at 10:00 [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
-
- 5/11/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164) re: motion to compel producton of certain technical documents [307-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 308 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of order received [0-0], motion to compel producton of certain technical documents [307-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 309 REPLY MEMORANDUM by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel producton of certain technical documents [307-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 310 REPLY DECLARATION by Jennifer A. Sklenar on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel producton of certain technical documents [307-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 311 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [310-1], memorandum [309-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 312 NOTICE OF MOTION AND MOTION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to compel information relating to Incyte's intrrogatory responses; supporting decalration of Eric B. Carlson [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]
- 5/11/01 313 REPLY by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of motion to compel information relating to Incyte's intrrogatory responses [312-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to compel information relating to Incyte's interrogatory responses [312-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 314 MOTION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to file under seal materials previously submitted to Special Master Ambler [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to file under seal materials previously submitted to Special Master Ambler [314-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

□

5/11/01 315 OPPOSITION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 to motion to compel information relating to Incyte's interrogatory responses [312-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 316 DECLARATION by Catherine A. Moore on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164 in support of opposition [315-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 317 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of declaration [316-1], opposition [315-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 318 MOTION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 to file under seal exhibit C attached to the declaration of Catherine A. Moore with Notice set for 5/22/01 [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164) re: motion to file under seal exhibit C attached to the declaration of Catherine A. Moore [318-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 -- RECEIVED Opposition to Affymetrix' motion for a protective order re: disclosure of highly confidential patent applications submitted by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/11/01 319 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceuticals in 5:99-cv-21164 of document received [0-0] [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/14/01 320 ORDER by Judge Jeremy Fogel granting motion to file under seal exhibit C attached to the declaration of

Catherine A. Moore [318-1], granting motion to file under seal materials previously submitted to Special Master Ambler [314-1] (Date Entered: 5/15/01) (cc: all counsel) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/14/01 321 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion to compel production of certain technical documents [307-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

□

5/14/01 322 OPPOSITION by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to motion to increase Incyte's allotted number of depositons and interogatories [302-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/14/01 323 EXHIBITS C to declaration [316-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/14/01 324 OPPOSITION by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 to Affynetrix' motion for a protective order re: disclosure of highly confidential patent applications (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/14/01 325 DECLARATION by Jennifer A. Sklenar on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to compel producton of certain technical documents [307-1] (FILED UNDER SEAL) [5:99-cv-21164] (gm) [Entry date 05/15/01] [5:99cv21164]

5/14/01 326 DECLARATION by Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in support of motion to increase Incyte's allotted number of depositons and interogatories [302-1] [5:99-cv-21164] (gm) [Entry date 05/15/01] [Edit date 06/28/01] [5:99cv21164]

5/15/01 327 ADDENDUM filed by Special Master Read Ambler in 5:99-cv-21164 to order setting deadline for submitting materials in support of request to file documents under seal [5:99-cv-21164] (gm) [Entry date 06/06/01] [5:99cv21164]

5/16/01 328 MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to file motion udner seal [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]

5/16/01 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to file motion udner seal [328-1] [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]

5/16/01 -- RECEIVED Motion for leave to file supplemental declaration of Jeffrey L. Arrington re: Incyte's Motion for contempt re : patent file histories submitted by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 (FILED UNENDER SEAL) [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]

U.S. District Court Web PACER(v2.3) Docket Report

Page 44 of 84

- 5/17/01 329 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 in opposition to motion to compel information relating to Incyte's interrogatory responses [312-1] [5:99-cv-21164] (gm)
 [Entry date 06/01/01] [5:99cv21164]
- 5/17/01 330 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [329-1] [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 331 DECLARATION by K. Iain McAusland supporting the sealing of Declaration of Jayna R. Whitt on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 332 DECLARATION by K. Iain McAusland supporting the sealing of List of deponents on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 333 DECLARATION by Don F. Livornese supporting the sealing of Incyte's brief on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 334 DECLARATION by Ethan B. Andelman supporting the sealing of exhibits 5,10,23,24,25,27,30 and 31 on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 335 DECLARATION by Jennifer A. Sklenar supporting the sealing of declaration of Jennifer A. Sklenar on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 336 DECLARATION by Catherine A. Moore supporting the sealing of exhibit C on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 337 DECLARATION by Don F. Livornese supporting the sealing of: Incyte's Opposition on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 338 DECLARATION by Don F. Livornese supporting the sealing of Second Amended Answer on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]

□

- 5/18/01 339 DECLARATION by Don F. Livornese supporting the sealing of: declaration of Don F. Livornese on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 340 DECLARATION by Ethan B. Andelman supporting the sealing of exhibit 39 on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 341 DECLARATION by Don F. Livornese withdrawing requests for sealing on behalf of defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 342 PROOF OF SERVICE by defendant Synteni, Inc. in 5:99-cv-21164, defendant Incyte Pharmaceutica in 5:99-cv-21164 of declaration [341-1], declaration [340-1], declaration [339-1], declaration [338-1], declaration [337-1], declaration [336-1], declaration [335-1], declaration [334-1], declaration [333-1], declaration [332-1], declaration [331-1] [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 343 REQUEST by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to file under seal [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 344 DECLARATION by Jeffrey L. Arrington on behalf of Plaintiff Affymetrix, Inc. in 5:99-cv-21164 re request [343-1] [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: request [343-1] [5:99-cv-21164] (gm) [Entry date 06/01/01] [5:99cv21164]
- 5/18/01 -- RECEIVED Affymetrix' Reply in support of its motion for an order compelling Incyte to produce materials relating to its nucleic acid arrays submitted by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 [5:99-cv-21164] (FILED UNDER SEAL) (gm) [Entry date 06/01/01] [Edit date 06/01/01] [5:99cv21164]
- 5/21/01 345 NOTICE OF MOTION AND MOTION before Judge Jeremy Fogel by Plaintiff Affymetrix, Inc. in 5:99-cv-21164 to dismiss and strike allegations of inequitable conduct with Notice set for 6/25/01 at 9:00 [5:99-cv-21164] (gm) [Entry date 06/04/01] [Edit date 06/05/01] [5:99cv21164]
-
- 5/21/01 -- RECEIVED Proposed Order (Plaintiff Affymetrix, Inc. in 5:99-cv-21164) re: motion to dismiss and strike allegations of inequitable conduct [346-1] [5:99-cv-21164] (gm) [Entry date 06/04/01] [5:99cv21164]
- 5/23/01 346 REPORTER'S TRANSCRIPT; Date of proceedings: 9/25/00 (C/R: